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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/685,423

10/16/2003

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1259-0240P

5846

2292 7590 06/06/2007
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EXAMINER

FINDLEY, CHRISTOPHER G

ART UNIT

PAPER NUMBER

2621

NOTIFICATION DATE

DELIVERY MODE

06/06/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary	Application No. 10/685,423	Applicant(s) SUGANO ET AL.	
	Examiner Christopher Findley	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/16/2003</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-3, 5, 7-9, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (US 20030049022 A1) in view of Clapper (US 6925602 B1).**

Re claim 1, Lee discloses an apparatus for reproducing a moving image having a plurality of frame images (Lee: paragraph [0007]), the apparatus comprising: a moving image processing device for extracting the frame images as index images from the moving image (Lee: paragraph [0019]); a first display device for displaying the index images in a divided display area (Lee: paragraph [0007]), the first display device changing the number to divide the display area in accordance with the number of the index images (Lee: paragraphs [0020]-[0021]); and a controller to start reproduction of the moving image from the scene corresponding to a selected index image (Lee: paragraph [0023]; Fig. 1, the second DAC unit 182 outputs video). Lee does not specifically disclose extracting reference images at regular intervals. However, Clapper discloses that the reference frames (thumbnail frames) are taken at regular intervals (column 1, lines 58-60). Since both Lee and Clapper relate to extracting and displaying reference images from a video sequence on a partitioned display screen, one of ordinary skill in the art at the time of the invention would have found it obvious to

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combine their teachings in order to provide the user with the ability to manipulate the video data in more ways than the standard zoom, slow motion, etc (Clapper: column 1, lines 15-27). The apparatus of Lee, now implemented within the system of Clapper, has all of the features of claim 1.

Re claim 2, the apparatus of Lee, now implemented within the system of Clapper, discloses that the first display device displaying all index images at the same time (Lee: paragraph [0007]), as in the claim.

Re claim 3, the apparatus of Lee, now implemented within the system of Clapper, discloses that the moving image processing device changes the interval to extract the frame images in accordance with the number of the index images (Clapper: Fig. 1; column 2, lines 41-48), as in the claim.

Re claim 5, the apparatus of Lee, now implemented within the system of Clapper, discloses a second display device to display the moving image (Lee: paragraph [0007]), as in the claim.

Claim 7 is the corresponding method implemented by the apparatus of claim 1, and therefore has been analyzed and rejected with respect to claim 1 above.

Claim 8 has been analyzed and rejected with respect to claim 2 above.

Claim 9 has been analyzed and rejected with respect to claim 3 above.

Claim 11 has been analyzed and rejected with respect to claim 5 above.

3. Claims 4, 6, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee (US 20030049022 A1) and Clapper (US 6925602 B1) as applied to claims 1-3, 5, 7-9, and 11 above, and further in view of Shiiyama (US 20030026594 A1).

Re claim 4, the apparatus of Lee, now implemented within the system of Clapper, discloses a majority of the features of claim 4 as discussed above concerning claim 1, but does not specifically state that the first display device displays the index images and the moving image at the same time. However, Shiiyama discloses an image search apparatus where a scene is played back on the screen while reference (thumbnail) images are also displayed simultaneously (Shiiyama: Fig. 3). Since Lee, Clapper, and Shiiyama all relate to displaying reference images from a video sequence on a partitioned display screen for a user to select a playback sequence, one of ordinary skill in the art at the time of the invention would have found it obvious to combine their teachings in order to address lack of synchronization (scrolling through reference/thumbnail images) (Shiiyama: paragraph [0008]) by displaying all reference/thumbnail on the screen and adjusting size/proportions accordingly (Lee: paragraph [0007]). The modified system of Lee and Clapper, now implemented with the apparatus of Shiiyama, has all of the features of claim 4.

Re claim 6, the modified system of Lee and Clapper, now implemented with the apparatus of Shiiyama, discloses a photography device to take a subject image continuously to obtain the moving image (Shiiyama: Fig. 1, moving image recorder/player 110), as in the claim.

Claim 10 has been analyzed and rejected with respect to claim 4 above.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

a. Video viewing assisting method and a video playback system therefor

Nagasaka et al. (US 5818439 A)

b. Reviewing and navigating among images on an image capture unit using a thumbnail position memory bar

Anderson et al. (US 6700612 B1)

c. Picture search device and recording medium readable for the same

Borden et al. (US 6268854 B1)

d. Non-linear reproduction control method of multimedia stream and apparatus thereof

Jun et al. (US 20010053277 A1)

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Findley whose telephone number is (571) 270-1199. The examiner can normally be reached on Monday-Friday 7:30am-5pm, Alternate Fridays off.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher Findley/


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